

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE BILL 928

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

PAULINE K. GUBBELS

AN ACT

RELATING TO WATER CONSERVATION; ENACTING SECTIONS OF THE NMSA  
1978 TO DEFINE BENEFICIAL USE TO INCLUDE WATER RIGHTS  
CONSERVATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 72 NMSA 1978 is  
enacted to read:

"[NEW MATERIAL] BENEFICIAL USE INCLUDES WATER RIGHTS  
CONSERVATION. --

A. As used in Chapter 72 NMSA 1978, "beneficial use"  
includes water rights conservation. "Water rights conservation"  
means the reduction in amount of diversion or use of a water  
right, declared, permitted or adjudicated in accordance with the  
laws of this state, to divert and beneficially use water for  
purposes other than conservation.

Underscored material = new  
[bracketed material] = delete

Underscored material = new  
~~[bracketed material] = delete~~

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**B. Water rights conservation includes use of:**

(1) irrigation systems designed to maximize water use efficiency of plants;

(2) devices to maximize water use efficiency of domestic and commercial bathroom and kitchen appliances and plumbing; or

(3) southwest native and desert-adapted plant species for landscaping or commercial crop production. "

**State of New Mexico**  
**House of Representatives**

1  
2  
3  
4 FORTY-THIRD LEGISLATURE  
5 FIRST SESSION, 1997  
6  
7

8  
9 March 18, 1997  
10

11 Mr. Speaker:  
12

13 Your AGRICULTURE AND WATER RESOURCES COMMITTEE,  
14 to whom has been referred

15  
16 HOUSE BILL 928

17 has had it under consideration and reports same with  
18 recommendation that it DO PASS, amended as follows:  
19

20 1. On page 1, line 23, after "right" strike the comma and  
21 insert in lieu thereof "that has been previously".  
22

23 2. On page 1, lines 24 and 25, strike "for purposes other  
24 than" and insert in lieu thereof "prior to institution of".  
25

3. On page 1, line 25, after "conservation" insert

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

HAGC/HB 928

Page 4

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

"measures".

4. On page 2, line 8, strike the quotation mark and between lines 8 and 9, insert the following new subsection:

"C. Nothing in this section shall be construed to reinstate water rights that have been forfeited or abandoned prior to the effective date of this section.".,

and thence referred to the JUDICIARY COMMITTEE.

Respectfully submitted,

\_\_\_\_\_  
G. X. McSherry, Chairman

Adopted \_\_\_\_\_

Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

Underscored material = new  
[bracketed material] = delete

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

HAGC/HB 928

Page 5

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

The roll call vote was 9 For 0 Against

Yes: 9

Excused: None

Absent: None

118559.1

M \H0928

. 113689.3

Underscored material = new  
~~[bracketed material] = delete~~